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D - MR. LAMB

OES/NET - MR. NOSENZO

ACDA - MR. VAN DOREN

EUR/WE - MR. BEIGEL

S/S - MR. BRIDGES

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E.O. 11652: GDS

TAGS: MNUC, ENRG, FR

SUBJECT: US-FRENCH NUCLEAR POLICY REVIEW

REF: PARIS 4591, PARIS 4693

1. US-FRENCH TALKS ON NUCLEAR NON-PROLIFERATION
POLICY ON FEBRUARY 19-20 INCLUDED THOROUGH AND INFORMAL
EXCHANGE OF VIEWS ON MAJOR NON-PROLIFERATION ISSUES AND
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OPPORTUNITY CONSULT ON SENSITIVE NUCLEAR PROJECTS IN
BRAZIL AND PAKISTAN. ATMOSPHERE OF TALKS WAS VERY OPEN
AND CONSTRUCTIVE.

2. A. POLICY TOWARD SENSITIVE NUCLEAR TRANSFERS -- BOTH
SIDES AGREED THAT IT ESSENTIAL TO AVOID STATES BACKING
INTO NUCLEAR WEAPONS CAPABILITY DUE TO SPREAD OF SEN-

SITIVE TECHNOLOGY AND MATERIALS. U.S. SUGGESTED THAT NEXT STEP IS TO GAIN TIME TO PERMIT EVALUATION OF FURTHER CONTROLS AND POSSIBLE BILATERAL AND MULTILATERAL INCENTIVES WHICH COULD INCLUDE ASSURED FUEL SUPPLY, SPENT-FUEL STORAGE, EXPLORATION OF ALTERNATIVE NUCLEAR TECHNOLOGIES. FRENCH SUGGESTED THAT OFFER OF FUEL CYCLE SERVICES ON ECONOMIC BASIS COULD HELP TO COMPENSATE FOR DENIAL OF TECHNOLOGY., WERE RECEPTIVE TO CONCEPT OF

MULTILATERALIZING SUCH SERVICES, AND OFFERED TO CONSIDER HOW TO EFFECT THIS. THEY STRESSED THAT IT IS IMPORTANT THAT SUPPLIERS OF FUEL SERVICES NOT BE SEEN AS A BLOC OPPOSED TO TECHNOLOGICAL COOPERATION, AND THAT IF A COUNTRY CHOOSES TO DEVELOP INDIGENOUSLY AN INDEPENDENT NUCLEAR FUEL CYCLE CAPABILITY, IT IS NOT FRENCH POLICY TO PROHIBIT THEM FROM DOING SO.

B. FUEL ASSURANCES - U.S. STRESSED THAT WE DO NOT PROPOSE NEW REGIME RESULTING IN COMMERCIAL DISADVANTAGE FOR ANY SUPPLIER. FUEL ASSURANCES WOULD MAXIMIZE ECONOMIC DISINCENTIVE FOR GO-IT-ALONE PROGRAMS: SUCH ASSURANCES COULD INCLUDE EARMARKED STOCKS, EQUITY INVESTMENT IN SUPPLIER FACILITIES, AND POSSIBLE FUEL FUND UNDER INTERNATIONAL CONTROL. WHILE NOT ABSOLUTE GUARANTEE, THREE-TIERED PROGRAM OF BILATERAL, MULTILATERAL AND INTERNATIONAL FUND ASSURANCES COULD MINIMIZE POLITICAL INTERFERENCE WITH FUEL SUPPLY AND AS NOTED PROVIDE ECONOMIC INCENTIVE TO FOREGO SENSITIVE TRANSFERS. FRENCH EXPRESSED SOME RESERVATIONS ABOUT FUEL
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BANK CONCEPT BUT AGREED FUEL ASSURANCES NECESSARY PART OF SUPPLIER PACKAGE.

C. FULL SCOPE SAFEGUARDS -- U.S. INDICATED THAT WE HAVE NOT YET REACHED DECISION ON REQUIRING SAFEGUARDS ON ALL NUCLEAR FACILITIES AS A CONDITION OF ANY NUCLEAR COOPERATION; CONCEPT HAS ADVANTAGES IN THAT IT WOULD APPEAR TO ACCOMPLISH NPT OBJECTIVE TO GET BINDING LEGAL COMMITMENT NOT TO ACQUIRE NUCLEAR EXPLOSIVES: SUCH A POLICY WOULD ALSO MINIMIZE NUCLEAR TRANSFERS IN ABSENCE OF SAFEGUARDS AND WOULD REMOVE PRESENT ANOMALY OF NON-PARTIES TO NPT SUBJECT TO LESS STRINGENT SAFEGUARDS THAN NPT PARTIES. FRENCH CONTINUE TO HAVE PROBLEM WITH THIS APPROACH, BELIEVE IT INAPPROPRIATE TO USE FRENCH SUPPLY LEVERAGE TO PROHIBIT INDIGENOUS NUCLEAR PROGRAMS (FOLLOWING FRENCH ROUTE TO INDEPENDENT CAPACITY) THAT IT WOULD BE SEEN AS BEING IMPOSED ON OTHERS BY SUPPLIERS AND THUS INCREASE MISTRUST AND INCREASE RISKS OF INDEPENDENT NATIONAL EFFORTS. HOWEVER, FRENCH EXPRESSED

INTEREST IN U.S. SUGGESTION OF POSSIBLE COM-PROMISE FORMULA THAT WOULD REQUIRE THE RECIPIENT COUNTRY TO ACCEPT SAFEGUARDS ON ALL EXISTING FACILITIES AND SUBSEQUENT MATERIALS PRODUCED IN THESE FACILITIES. COUNTRY WOULD MAKE NO COMMITMENT NOT TO ACQUIRE UNSAFEGUARDED FACILITIES BUT IT UNDERSTOOD THAT TO DO SO WOULD RESULT IN TERMINATION OF SUPPLY. IT WOULD ALSO AGREE TO NOTIFY SUPPLIER IN ADVANCE OF SUCH A MOVE. WHILE STATES NOT TO BE REQUIRED TO PUT EXISTING UNSAFEGUARDED MATERIALS UNDER SAFEGUARDS, IT UNDERSTOOD THAT ANY TEST OF NUCLEAR DEVICE WOULD ALSO RESULT IN SUPPLY TERMINATION. BOTH FRENCH AND U.S. SIDES AGREED TO LOOK FURTHER AT QUESTION OF HOW FAR SAFEGUARDS ISSUE CAN PROFITABLY BE PURSUED AT NEXT SUPPLIERS MEETING.

D. SUPPLIERS GROUP EXPANSION -- UTILITY OF GROUP AT PRESENT FOURTEEN MEMBERS NOT YET EVALUATED; FURTHER EXPAN-
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SION TO BE APPROACHED WITH CAUTION, BUT NOT RULED OUT. WE MORE THAN FRENCH SEE VALUE IN CONTINUING MEETINGS AS FORUM FOR HARMONIZATION OF NUCLEAR POLICIES, AND AS FRAMEWORK FOR CONTINUED CLOSE CONSULTATIONS AMONG KEY MEMBERS.

E. GUIDELINES PUBLICATION -- SOME MERIT IN PUBLICATION OF GUIDELINES WHICH WIDELY KNOWN TO EXIST; HOWEVER, PUBLICATION CRYSTALIZES A SITUATION WHICH STILL ESSENTIALLY FLUID. PUBLICATION ALSO FORCES DEVELOPING COUNTRIES TO ACCEPT PUBLICLY CRITERIA FOR COOPERATION WHICH COULD LESSEN FLEXIBILITY IN SOME CASES.

F. REPROCESSING POLICY -- U.S. INDICATED WE EXPLORING NUMBER OF ALTERNATIVES: ONE POSSIBILITY WOULD BE GENERAL INTERNATIONAL CONSENSUS TO OBSERVE HALT ON FURTHER SPREAD OF NATIONAL FACILITIES DURING WHICH THERE WOULD BE MULTINATIONAL EVALUATION OF SAFEGUARD TECHNIQUES, ALTERNATIVE MEANS OF EXPLOITING SPENT FUEL, AND ALTERNATIVE REACTOR TECHNOLOGIES. DURING THIS PAUSE, IT MIGHT BE RECOGNIZED THAT SOME REPROCESSING DESIRABLE TO MEET GENUINE NEEDS ON STORAGE AND ENVIRONMENTAL GROUNDS TO DISPOSE OF SPENT FUEL; THIS COULD BE MET BY USE OF EXISTING REPROCESSING FACILITIES, PROVIDED THAT RECOVERED PLUTONIUM NOT RETURNED TO NNWS. FRENCH EMPHASIZED STRONG DOMESTIC COMMITMENT TO REPROCESSING AND BREEDER PROGRAMS AND PROPOSED TO PERFORM REPROCESSING SERVICES FOR US CUSTOMERS WITHOUT RETURN OF PLUTONIUM. IT WAS AGREED WE WOULD EXPLORE THOSE POSSIBILITIES FURTHER IN SUBSEQUENT EXCHANGES.

G. SANCTIONS -- US DISCUSSED NUMBER OF POSSIBILITIES FOR PUBLICLY-EXPRESSED SANCTIONS POLICIES BY SUPPLIERS.

FRENCH INDICATED RELUCTANCE TO GO BEYOND PRESENT POLICY THAT VIOLATION OF AGREEMENTS WITH FRANCE WOULD AUTOMATICALLY IMPLY (UNSPECIFIED) SANCTIONS. IN OTHER CASES, FRENCH INDICATED READINESS TO DISCUSS IN LONDON MEANS FOR STRENGTHENING IAEA MECHANISM FOR APPLICATION OF SANCTIONS

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AS APPEARED UNDER ARTICLE XII OF STATUTE.

3. WE LEARNED IN COURSE OF DISCUSSIONS OF SENSITIVE ISSUES ON MARGINS OF TALKS THAT:

-- GOF HAS TOLD FRG IT WILL NOT SEEK COMMERCIAL ADVANTAGE IN BRAZIL IF ENRICHMENT AND REPROCESSING ARE DEFERRED; GOF WILL RESPECT REACTOR COMMITMENT AT LEAST FOR NEXT 10-15 YEARS AND PREPARED TO BACK UP FRG FUEL SUPPLY.

-- FRENCH TOLD US WE COULD INFORM BRAZILIANS IN COURSE OF TALKS NEXT WEEK THAT GOF WILL NOT SEEK COMMERCIAL ADVANTAGE AND IS PREPARED BACK UP FUEL SUPPLY AS IN RETURN FOR DEFERRAL OF SENSITIVE TRANSFERS.

-- FRENCH WILL DEFER SENSITIVE TRANSFER NOW PENDING TO PAKISTAN FOR AT LEAST THREE MORE WEEKS TO GIVE US TIME TO PERSUADE GOP TO ACCEPT JOINT AGREEMENT ON INDEFINITE DEFERRAL.

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